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10/027,066	12/21/2001	Thomas N. Turba	RA5411 (33012/329/101)	9769

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EXAMINER	
WU, YICUN	

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/027,066	TURBA ET AL.	
	Examiner	Art Unit	
	Yicun Wu	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 December 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

III. DETAILED ACTION

1. Claims 1-25 are presented for examination.

Examiner comments

2. This office action replaces office action dated 10-12-2005 and corrects Applicants record. See new office action below.

Response to Applicant' Remarks

3. Applicant argues:

(1) "Walsh does not have a conversion facility for converting non-XML responses into XML format" (12/15/05).

(2) "a data base management system having an internal format different from XML... Walsh cannot meet this limitation" (12/15/05).

(3) Walsh not have the claimed "converting means", it has no need for a "converting means" (12/15/05).

(4) "the Examiner clearly erroneously alleges that this shows the claimed "transfer facility for transferring the XML message from the legacy data base management system to the user terminal" (12/15/05).

(5) Chau has no service request. (11/22/04).

(6) Chau does not have "convert". (11/22/04)

(7) Chau does not "process". (11/22/04)

(8) Chau does not have "transferring". (11/22/04)

Examiner disagree.

(1) With respect to the 1st argument, the Examiner consider "mappings between the XML format and legacy formats" (Walsh et al. col. 10, lines 1-13) reads on "a conversion facility for converting non-XML responses into XML format".

With respect to the 2nd argument, the Examiner consider "legacy formats" (Walsh et al. col. 10, lines 1-13) reads on "a data base management system having an internal format different from XML.

With respect to the 3rd argument, the Examiner consider "mappings" (Walsh et al. col. 10, lines 1-13) reads on "converting means".

With respect to the 4th argument, the Examiner consider Walsh et al. fig. 1b, 2, 4 reads on ""transfer facility for transferring the XML message from the legacy data base management system to the user terminal".

With respect to the 5th argument, the Examiner consider

"The client computer 102 is bi-directionally coupled with the server computer 104 over a line or via a wireless system. In turn, the server computer 104 is bi-directionally coupled with data sources" (Chau col. 4, lines 15-24 and Fig. 1) clearly teaches "service request".

With respect to the 6th argument, the Examiner consider "The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(Chau col. 3, lines 15-21) do have "convert".

With respect to the 7th argument, the Examiner consider fig. 2, item 210 reads on "process".

With respect to the 8th argument, the Examiner consider "internet or intranet" (Chau col. 5, lines 50-52 and fig 2) doe have "transferring".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 11-20 are rejected under 35 U.S.C. 102(e) as being anticipated over Chau et al., (U. S. Patent No. 6,721,727).

As to claim 11, Chau et al. discloses a method of supplying a response from a data base management system comprising:

a. transferring a service request to the data base management system (col. 4, lines 15-24 and Fig. 1) via a publicly accessible digital data communication network (i.e. internet or intranet)(col. 5, lines 50-52);

b. processing the service request by the data base management system to produce a response (col. 4, lines 15-24 and Fig. 1);

c. converting the response into an XML document using an Output Definition Table (ODT) (i.e. The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(col. 3, lines 15-21); and

d. transmitting the XML document via the publicly accessible digital data communication network (i.e. internet or intranet)(col. 5, lines 50-52).

As to claim 12, Chau et al. discloses a data processing system wherein the facility further comprises an output definition table (i.e. The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(col. 3, lines 15-21).

As to claim 13, Chau et al. discloses a method wherein the Output Definition Table is dynamically generated from storage (i.e. The XML System also allows overrides of query conditions explicity or implicitly defined in the DAD, by parsing the SQL or XML XPath based override parameter to the

composition stored procedures. In this way, it supports dynamic query for generating XML documents.) (col. 8, lines 46-50).

As to claim 14, Chau et al. discloses a method wherein the converting step further comprises an XML element to source mapping tree containing an internal representation that assures conformance to the Document Type Definition (i.e. The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(col. 3, lines 15-21) and (i.e. a document object model tree is generated using a document access definition. The document object model tree is traversed to obtain information to retrieve relational data. The relational data is mapped to one or more XML documents.) (col. 3, lines 16-21).

As to claim 15, Chau et al. discloses a method wherein the publicly accessible digital data communication network further comprises the Internet (i.e. internet or intranet)(col. 5, lines 50-52).

As to claim 16, Chau et al. discloses an apparatus comprising:

a. transmitting means for transmitting an XML document via a publicly accessible digital data communication network (i.e. internet or intranet)(col. 5, lines 50-52);

b. processing means responsively coupled to the transmitting means for processing a service request to produce a response (col. 4, lines 15-24 and Fig. 1);

c. converting means responsively coupled to the processing means for converting the response into the XMI, document (i.e. The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(col. 3, lines 15-21); and

d. sending means responsively coupled to the converting means and the transmitting means for sending the XML document (i.e. an XML column is used to store entire XML documents in the native XML format.)(col. 7, lines 66-67) to the transmitting means for transmission via the publicly accessible digital data communication network (i.e. internet or intranet)(col. 5, lines 50-52).

As to claim 17, Chau et al. discloses an apparatus wherein the processing means further comprises

a repository (col. 4, lines 25-31 and Fig. 4, item 404).

As to claim 18, Chau et al. discloses an apparatus comprising means for defining a format of the XML document (i.e. The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(col. 3, lines 15-21).

As to claim 19, Chau et al. discloses an apparatus wherein the transmitting means further comprises the Internet (i.e. internet or intranet)(col. 5, lines 50-52).

As to claim 20, Chau et al. discloses an apparatus wherein the storing means stores the defining means for future use ((i.e. The XML data is mapped from the application DTD to the relational tables and columns using the document access definition based on the XPath data model)(col. 3, lines 15-21).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-10 and 21-25 are rejected under 35 U.S.C. 102(e) as being anticipated over Walsh et al. (U. S. Patent No. 6,810,429).

As to Claim 1, Walsh et al. discloses a data processing comprising:

a. a legacy data base management system which honors a service request by executing an ordered sequence of command language script coupled to a publicly accessible digital data communication network;

b. a response generated by the legacy data base management system which is not in XML format by executing the ordered sequence of command language script to honor the service request (Walsh et al. fig. 1b, 2, 4 and col. 9, lines 57- col. 10, lines 67); and

c. a facility for converting the response into an XML

message (col. 3, lines 5-13 and fig. 1b) which is transferrable over the publicly accessible digital data communication network (Fig. 1b).

As to Claim 2, Walsh et al. discloses a data processing system wherein the facility further comprises

an output definition table (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 3, Walsh et al. discloses a data processing System wherein the facility further comprises

a document type definition corresponding to the XML message (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 4, Walsh et al. discloses a data processing System wherein

the facility includes storage for the output definition table (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 5, Walsh et al. discloses a data processing system wherein the facility further comprises

a repository responsively coupled to the legacy data base management system wherein the ordered sequence of command

language script the output definition table and the document type definition are stored within the repository (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 6, Walsh et al. discloses an apparatus comprising:

a. a publicly accessible digital data communication network (fig. 1b);

b. a data base management system having an internal format different from XML responsively coupled to the publicly accessible digital data communication network which generates a response in the internal format by executing an ordered sequence of command language script (fig. 1b, 2, 4 and col. 9, lines 51- 67); and

c. an Output Definition Table which converts the response into an XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67) for transmission on the publicly accessible digital data communication network (fig. 1b).

As to Claim 7, Walsh et al. discloses an apparatus comprising:

a Document Type Definition (DTD) which defines a format of the XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 8, Walsh et al. discloses an apparatus comprising:

a repository within the data base management system for storage of the Output Definition Table (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 9, Walsh et al. discloses an apparatus comprising:

a window for user activation of the Output Definition Table (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 10, Walsh et al. discloses an apparatus wherein the publicly accessible digital data communication system further comprises

the Internet (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 16, Walsh et al. discloses an apparatus comprising:

a. transmitting means for transmitting an XML document via a publicly accessible digital data communication network (fig. 1b, 2, 4);

b. processing means responsively coupled to the transmitting means for processing a service request to produce a response (fig. 1b, 2, 4 and col. 9, lines 51- 67);

c. converting means responsively coupled to the processing means for converting the response into the XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67); and

d. sending means responsively coupled to the converting means (fig. 1b, 2, 4 and col. 9, lines 51- 67) and the transmitting means for sending the XML document to the transmitting means for transmission via the publicly accessible digital data communication network (fig. 1b, 2, 4).

As to Claim 17, Walsh et al. discloses an apparatus comprising: wherein the processing means further comprises

a repository (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 18, Walsh et al. discloses an apparatus comprising:

defining means for defining a format of the XML document (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 19, Walsh et al. discloses an apparatus comprising: wherein the transmitting means further comprises

the Internet (fig. 1b, 2, 4).

As to Claim 20, Walsh et al. discloses an apparatus comprising: wherein the storing means stores the defining means for future use (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 21, Walsh et al. discloses an apparatus apparatus for honoring a data processing service request comprising:

a. A user terminal which generates the service request (fig. 1b, 2, 4);

b. A legacy data base management system having a data base in a non-XML legacy format which honors the service request by executing an ordered sequence of command language script responsively coupled to the user terminal via a publicly accessible digital data communication network (fig. 1b, 2, 4 and col. 9, lines 51- 67);

c. A first response in the non-XML legacy format generated by the legacy data base management system by executing the ordered sequence of command language script (fig. 1b, 2, 4 and col. 9, lines 51- 67);

d. A conversion facility responsively coupled to the legacy data base management system which converts the first response in

the non-XML legacy format into a second response embodied as an XML message (fig. 1b, 2, 4 and col. 9, lines 51- 67); and

e. A transfer facility for transferring the XML message from the legacy data base management system to the user terminal via the publicly accessible digital data communication network (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 22, Walsh et al. discloses an apparatus for honoring a data processing service request further comprising

a Document Type Definition (DTD) which defines a format of the XML message (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 23, Walsh et al. discloses an apparatus for honoring a data processing service request further comprising

a repository within the legacy data base management system for storage of the ordered sequence of command language script (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 24, Walsh et al. discloses an apparatus for honoring a data processing service request further comprising

a window for user activation of the XML message at the user terminal (fig. 1b, 2, 4 and col. 9, lines 51- 67).

As to Claim 25, Walsh et al. discloses an apparatus for honoring a data processing service request wherein the publicly accessible digital data communication system further comprises the Internet (fig. 1b, 2, 4 and col. 9, lines 51- 67).

Conclusion

8. **THIS ACTION IS MADE FINAL**, Applicant's amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, *THIS ACTION IS MADE FINAL. See MPEP 706.07(a)*. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory- period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136 (a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply-expire later than SIX MONTHS from the mailing date of this final action.

Points of contact

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yicun Wu whose telephone number is 571-272-4087. The examiner can normally be reached on 8:00 am to 4:30 pm, Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Yicun Wu
Patent Examiner
Technology Center 2100

January 3, 2006